

**NO QUEER AGGIORNAMENTO THIS TIME:
RESUBSCRIBING TO THE PHILOSOPHY OF NATURAL LAW, POPE
FRANCIS FORECLOSES REFORMS OF CATHOLIC TEACHING ON
SEXUALITY**

Abstract

This article argues that a much anticipated liberalization of doctrine of matters of sexuality will not take place under Pope Francis. Though the pope has brought a more tolerant manner and tone in his discourse on homosexuality, the underlying foundation remains frozen, amid reiterated essentializations of gender that derive from archaic Catholic constructions of natural law. The article reviews Catholic doctrine on sexuality, particularly since the Church's 1975 instruction on sexual ethics. Thinking with the "indecent theology" proposals of Argentine-Scottish theologian Marcella Althaus-Reid, the author compares prior expressions of doctrine with those found in key magisterial writings of Pope Francis. He concludes that the more open spirit and tone in the Pope's public pronouncements are not matched by any significant shift in his teaching on sexuality, compared to his predecessors.

Keywords: Pope Francis, Gender, Sexuality, Natural Law, Catholic Teaching on Sex

The Fantasy of a Sex-Positive Pope

The headline is breathtaking: "Bold New Pope Shows Crowd in Saint Peter's Square How to Apply Condom." Below is a photoshopped image of Pope Francis at the window above St. Peter's Square holding a condom-shrouded phallus. Published a few days after his March 2013 election, in the online parody-news journal, *The Onion*, the article comically described how Francis had "signaled a bold new direction for his papacy by demonstrating to followers gathered in Saint Peter's Square how to correctly use and apply a condom." The faux-news Francis warns, "It's imperative that partners use a brand-new condom for each act of vaginal, anal, or oral sex and put it on as soon as erection occurs." He recites

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further instructions, *The Onion* reports, while “gently rolling a *Lifestyles*-brand condom down the shaft of a silicone penis.” The item concludes:

"Francis added that though he understood condom use was not ideal for maximizing sexual pleasure, and personally prefers not to wear them, they are the most effective way to prevent the spread of infectious diseases besides abstaining from sex altogether".²

This prank story was published in a time still rife with contradictory speculations on the direction the new pope would pursue, particularly in Church teachings on sex and the family. There were ample indications of change in the wind. On the left, many saw Francis as a humble, human pastor who would reinvigorate the reforms of the Second Vatican Council, clean up Vatican corruption, demote clericalism, and reinvoke lay Christians to take up Church leadership and service to a troubled world. Latino/a Catholics in North America were particularly excited by the prospect of a Latin American pope — a figure some even identified as a *Latino Pope*.³ From the Catholic right came worries that the Church had installed a *liberal*, if not *radical*, pontiff who would steal catholicism away from traditional values and its ancient, militant vision of Christendom. Conservatives expressed alarm in September 2013, when Francis met in Vatican City with one of Latin America's originary theologians of liberation, Gustavo Gutiérrez. More remarkable still, Gutiérrez was accompanied by Cardinal Gerhard Ludwig Müller, then the prefect for the Vatican's Congregation for the Doctrine of the Faith.⁴ The CDF, the Church's principal doctrinal watchdog agency, had published a series of critical instructions citing the risks of heterodoxy supposedly inhering in liberation theology. One of its earliest, in 1983, directly targeted Gutiérrez, alleging that his theology supposedly set up Marxism and its idea of class conflict as “the determining principle from which he goes on to reinterpret the Christian message.”⁵ Gutiérrez's reception at the Vatican seemed an unmistakable sign of the rehabilitation of liberation theology. Beyond his meeting with Gutiérrez, Francis has taken strong steps to enshrine Latin America's *option for the poor* — in fierce attacks on the poverty in the age of globalization of the neoliberal political economy.⁶

2 “Bold New Pope Shows Crowd in Saint Peter's Square How to Apply Condom,” *The Onion*, March 18, 2013, online at <http://bit.ly/2vxk86f>, accessed Aug. 28, 2017.

3 Laurie Goodstein, “New Pope Shifts Church's Center of Gravity Away From Europe,” *The New York Times*, March 13, 2013, online at <http://nyti.ms/2uCWqQA>, accessed Aug. 28, 2017.; and Tara Garcia Mathewson, “To Understand the Pope, One Must Follow Him Home,” *National Catholic Reporter*, Apr. 8, 2016, online at <http://bit.ly/2uDCzAK>, accessed Aug. 28, 2017.

4 Joshua J. McElwee, “Pope Meets with Liberation Theology Pioneer,” *National Catholic Reporter*, Sept. 25, 2013, online at <http://bit.ly/2w2Hr5Q>, accessed Aug. 28, 2017.

5 Vatican Congregation for the Doctrine of the Faith, “Ten Observations on the Theology of Gustavo Gutiérrez (1983),” in Alfred T. Henneley, ed., *Liberation Theology: A Documentary History* (Maryknoll, N.Y.: Orbis Books, 1990).

6 Besides a number of speeches and homilies, Francis inveighs a fierce attack on neoliberal capitalism in his pastoral exhortation, *Evangelii Gaudium*, on the Vatican site at <http://bit.ly/2uCQIDP>. See especially ¶¶ 52-60 and ¶¶ 177-216. He endorses the Church's *option for the poor* (¶¶ 198-200). First framed and worked out in Latin American liberation theology, the option for the poor has since been enshrined in the papal magisterium since Pope John Paul II. Francis has consistently tied the question of poverty in neoliberal capital-

Might Francis go further still — ordaining women or dismantling the phobic pastoral theology around “homosexual persons”? Again, early signs gave encouragement. Francis has repeatedly emphasized the importance of the role of women in the Church, and called for a theology of women — though not really a *feminist* theology of women. He called off a Vatican investigation of the U.S. Leadership Conference of Women Religious, and a related “apostolic visitation” investigation of American women’s orders in general, both launched by Pope Benedict to root out “radical feminism” in societies of Catholic nuns in the United States.⁷ Francis has emphatically urged Catholics to end monomaniacal prosecutions of single-issue crusades — against abortion, same-sex marriage, or the ordination of women — in favor of a more expansive vision of Christian obligation in the public sphere, especially service to the poor. Addressing a question about homosexuality in an airborne press briefing in June 2013, Francis made headlines around the world when he expressed forbearance toward Catholic priests whose intrinsic attraction is to other men. “If someone is gay and searches for the Lord, and has good will, who am I to judge?”⁸ A striking statement, it irked conservative Christians across the spectrum. Not only was Francis expressing an unprecedented attitude of papal restraint concerning homosexuality, his *non-judgmental* rhetoric rang in the timbre of *relativism*.⁹ Francis made headlines

ism to environmental degradation and destruction. See his remarkable encyclical, *Laudato Si: On Care for Our Common Home* (2015), online at <http://bit.ly/2w3budW>. There he criticizes economic inequality (§ 48-52), analyzing the impact environmental degradation has on the poorest. He criticizes the “weak responses” of governments and international agencies (§ 53-59), which are caught up in a cult of technocracy (§ 106-114), and reasserts a notion of the common good (§ 156-158) in which political economies would be rededicated to the work of “human fulfillment” (§ 189-198).

7 Laurie Goodstein, “Vatican Ends Battle With U.S. Catholic Nuns’ Group,” *The New York Times*, Apr. 16, 2015, online at <http://nyti.ms/2w3t06w>, accessed Aug. 28, 2017.

8 Rachel Donadio, “On Gay Priests, Pope Francis Asks, ‘Who Am I to Judge?’” *The New York Times*, July 29, 2015, online at <http://nyti.ms/2w399Qf>, accessed Aug. 28, 2017. The article notes that Francis spoke these remarks in Italian, except in his use of the English word “gay.”

9 Relativism amounts to a set of perspectives holding that there are *many pathways to ultimate Truth*, and that all cultures have some purchase on ultimacy. Correlatively, this would suggest that Catholicism’s version of truth — even where theologies of culture have worked at translating the Gospel into the cultural code of a newly christianized society — is *one among others*, not a “unique” scheme of salvation. Relativism is a problem typically manifesting in the societies of late Christendom. It is regularly diagnosed as a cultural and intellectual crisis prompted by a historical process of secularization that has unmoored a culture from its traditional Christian precepts. Debates over relativism — typically framed by popes as a doctrinal problem — in fact are a *symptom* of power struggle over a society’s feverishly contested transition from Christian forms of knowledge-power to post-Christian or post-secular forms. Relativism can manifest as an inter-religious contest — i.e. “whose vision of the transcendent, the Christian’s, the Jew’s, the Hindu’s . . . ? — is ultimately *true*?” But it can also manifest as a contest over the truth-claims of Catholic-Christian doctrine, *vis a vis* truth-claims from secular culture or the human and natural sciences. This is the prevailing feature of debates over gender and sexuality marked by cautionary papal claims about *relativism*.

For the two pontiffs immediately preceding Francis — Popes John Paul II and Benedict XVI — the relativistic attitude of contemporary secular cultures was responsible for much of the chaos of the modern world, especially the turning-away of Christian societies from their historical faith orientations. See Robert Carle, “Pope Benedict XVI Confronts Religious Relativism,” *Society* 45 (2008) 549–555; Dorota Probuska, “Against Relativism: The Importance of Truth in the Ethics of St. John Paul II,” *The Person and the Challenges* 6:1 (2016), pp. 29–38.

Francis regards *relativism* as one of the most important “cultural challenges” to evangelization, alongside rampant secularization, individualism, and consumerism (*viz. Evangelii Gaudium*, § 61-67). But compared to his predecessors, Francis spends less energy anathematizing contemporary culture. On the contrary, his whole theological orientation — his *teología del pueblo* — understands cultural

again two years later when he welcomed Yayo Grassi, a gay former student, to a private audience as the Pope was visiting Washington, D.C. Grassi came accompanied by his male partner of 19 years, Iwan Bagus. In video showing the end of the audience, Francis affectionately bids *adieu* to each of the men with smiles and kisses on both cheeks.¹⁰

There can be no question at this point that Francis's tone is decidedly different from his predecessors. But does that mean that he is a pope of change, as communities of LGBT Catholics once hoped — one who would pull back the limited and demeaning church policy on homosexuality? Considering his papacy at a distance of almost five years, it is clear that any shift that takes place will never be more than cosmetic. Not only have Francis's papal writings reaffirmed the most important statements of his predecessors on the nemesis of homosexuality, he has left undisturbed the natural-law predicates of the prevailing Catholic magisterium on gendersex difference — the cornerstone of Church teaching on sexuality. He has done so in the face of growing cultural trends of tolerance, acceptance, and social integration for same-sex founded families, and against the grain of new social science and bioscience studies on the body, gender, sexuality, and families. At stake in these countertrends is the efficacy and credibility of the core of Catholic-Christian doctrine on gender and sexuality — the natural-law core, which has prescribed appropriate gendersex roles for Christians since the High Middle Ages. The remainder of this article considers the pope's adherence to the natural-law predicates of gender, and the role the concept of *sexual complementarity* — Catholicism's binary notion of "natural" sexual difference — on Francis's continuing sanction against same-sex passion.

Homosexuality: Ordinary Human Passion or Deadly 'Problem'?

The definitive doctrine on same-sex sexuality is summarized in a 1986 instruction from Cardinal Josef Ratzinger,¹¹ *Homosexualitatis Problema*, a Latin title meaning *The Problem of Homosexuality*. The English version is published on the Vatican's website under the more benign title, "Letter to the Bishops of the Catholic Church on the Pastoral Care of Homosexual Persons."¹² The instruction seeks to settle confusion over the Church's 1975 "Declaration on Certain Questions Concerning Sexual Ethics."¹³ The 1975 document evinced deep concern about the sexual revolution that was convulsing Europe and the Americas, over-

formation as intrinsic not only to evangelization, but to the very life of the *logos* in the historical spiritual life of Catholic-Christian communities.

10 Jim Yardley and Laurie Goodstein, "Before Pope Francis Met Kim Davis, He Met With Gay Ex-Student," *The New York Times*, Oct. 2, 2015, online at <http://nyti.ms/2w33N7u>, accessed Aug. 28, 2017.

11 Ratzinger was later elected Pope Benedict XVI.

12 The document is online at <http://bit.ly/2ux2Ctg>, accessed Aug. 28, 2017.

13 The document, authored by Cardinal Franjo Seper, then CDF prefect, is surnamed *Persona Humana*. It is archived at the Vatican website, <http://bit.ly/2w2fBqw>, accessed Aug. 28, 2017.

throwing traditional sexual mores amid an “unbridled exaltation of sex” (¶ 1). It anathematized all non-procreative sex, especially when practiced outside the context of heterosexual marriage. Masturbation,¹⁴ other forms of non-marital sex, and homosexuality are deemed problematic, disordered, and even *dangerous* pursuits. On the contrary, “every genital act must be within the framework of marriage” (¶ 7).

“Through marriage, in fact, the love of married people is taken up into that love which Christ irrevocably has for the Church, while dissolute sexual union defiles the temple of the Holy Spirit which the Christian has become. Sexual union therefore is only legitimate if a definitive community of life has been established between the man and the woman”. [¶ 7]

The sexual revolution behind these concerns was not just a breaking-out of new forms and frequencies of sexual activity, but also a multiplication of social movements that were demanding recognition of new public sexual identities and the legitimation of long-outlawed sexual practices. Feminist movements were not only demanding new freedom for autonomous sexual activity — evidenced most strikingly in fights over birth control and abortion — but also calling into question the very category of “woman,” particularly its biological track out of Thomistic norms on the supposedly fundamental, “natural” difference between “men” and “women.” Likewise, LGBT and allied queer social movements were demanding not only a liberation of same-sex-oriented sexual and family arrangements, but also challenging the idea of sexual difference from the standpoint of queer theory, “third-gender,” and intersex thinking.¹⁵ The widening gap between the views of the Catholic hierarchy and those prevalent in today’s sexual social movements has proven fundamental, touching matters of foundational import to the construction of society:

- ➔ Relations between persons, families and the larger civil society;
- ➔ Gendered forms and identities of civil and familial authority;
- ➔ Economic questions implicated by the turn from an industrial-capitalist culture grounded on the old Protestant work ethic, to a postmodern capitalist culture wired to the individual’s pursuit of hedonic pleasure¹⁶;
- ➔ Epistemologies of the body, anthropologies of the person, and psycho-spiritual and sexual affections of every sort that must be reframed as soon as society moves away from sexual identities ori-

14 Masturbation is cited as “a grave moral disorder” and “an intrinsically and seriously disordered act” (¶ 9).

15 See, e.g., Gilbert H. Herdt, ed. *Third Sex, Third Gender: Beyond Sexual Dimorphism in Culture and History* (New York: Zone Books, 1994). *Third-gender* marks ambiguity or multiplicity in the supposedly dimorphous differentiation of an individual’s gendersex identity, a phenomenon that lately is being studied across many different cultural milieux (particularly in Hindu-Pakistani cultures, Asia, and New World indigenous societies). *Intersex* identity has to do with individuals whose sexual biology includes attributes of both male and female sex. These sexual- and gender-identity formations obviously defy the scheme of cis-gendered sexual difference that is foundational to Roman Catholic teaching on sexuality.

16 Fredric Jameson, *Postmodernism, Or, The Cultural Logic of Late Capitalism*, (Durham: Duke University Press, 1991).

ented by a “natural” gender binary that clearly distinguishes “man” from “woman” according to biological sexual endowment.

This last point — the doctrinal ordination of *gender complementarity*, framing *man* and *woman* as divinely inscribed in inviolable gender categories — is the lynchpin of the Catholic gendersex order. Where that principal fails, or falls into doubt, much of the rest of the house caves in.

Evidently the 1975 declaration failed to purge the world’s fervid libido of its passion for sexual revolution. Eleven years later, in *Homosexualitatis Problema*, Cardinal Ratzinger clarified and sharpened the teaching on homosexuality, to correct the “overly benign interpretation” still being afforded the 1975 declaration. Ratzinger’s teaching set forth three clear principles orienting Catholic responses to questions around gender identity and sexual practice:

- 1) A doctrine of divine *gender complementarity* that interprets biological sexual difference¹⁷ and procreativity as the basis for an irreducibly binary notion of gender difference;
- 2) The *centrality of heterosexual marriage* as the only legitimate ground for sexual activity and families; and
- 3) The orientation of marital sexual activity in a divinely ordained *teleology of procreation*.

Prior to the 1986 instruction, Catholic teaching had long emphasized a distinction between *homosexual orientation* and *homosexual sex* — holding the latter sinful, “an intrinsic moral evil,” but the former as benign. It was not a sin to *feel* same-sex attraction, as long as such attractions were not consummated in sex. In the 1986 instruction however, Cardinal Ratzinger ratchets up the Church’s concern with the pastoral risks of *homosexual orientation*:

“Although the particular inclination of the homosexual person is not a sin, it is a more or less strong tendency ordered toward an intrinsic moral evil; and thus the inclination itself must be seen as an *objective disorder*. Therefore special concern and pastoral attention should be directed toward those who have this condition, lest they be led to believe that the living out of this orientation in homosexual activity is a morally acceptable option. It is not”. [¶ 3; my emphasis]

The instruction underwrites its perspective with a number scriptural authorities. Of particular interest is the instruction’s deduction of a doctrine of *gender complementarity* from the first creation story in Genesis, where “God created *adam* in his image,”¹⁸ “male and female he created them” (Genesis 1:26-27). When husbands and wives join together in procreative sexual union, their complementarity mirrors the creative unity of God-self:

“God, in his infinite wisdom and love, brings into existence all of reality as a reflection of his goodness. He fashions mankind, male and female, in his own im-

17 “Now it is a stable union that Jesus willed, and He restored its original requirement, beginning with the sexual difference.” *Persona Humana*, ¶ 7

18 The Hebrew noun *adam* can mean *man* or *humankind*.

age and likeness. Human beings, therefore, are nothing less than the work of God himself; and in the complementarity of the sexes, they are called to reflect the inner unity of the Creator. They do this in a striking way in their cooperation with him in the transmission of life by a mutual donation of the self to the other". [¶ 6]

Ratzinger went on to cite other biblical passages that are regularly brandished to condemn homosexual relations: the story of the destruction of Sodom and Gomorrah (Gen. 18:16 - 19:29); proscriptions of the "abomination" of homosexuality in Leviticus (18:22 and 20:13); and several Pauline screeds against same-sex passion (1 Corinthians 6:9; Romans 1:18-32; and 1 Timothy 1:10). He concludes by enshrining the *centrality of heterosexual marriage* and the family, while pitching another anathema against homosexuality:

"The Church ... celebrates the divine plan of the loving and live-giving union of men and women in the sacrament of marriage. It is only in the marital relationship that the use of the sexual faculty can be morally good. A person engaging in homosexual behavior therefore acts immorally". [¶ 7]

The moral goodness of sex in marriage is rooted in the way the Church understands sex in the ambit of a *teleology of procreation*. Because "homosexual activity is not a complementary union, able to transmit life" — because same-sex intercourse cannot conceive life, at least not without bio-medical interventions — homosexual activity tends "to annul the rich symbolism and meaning, not to mention the goals, of the Creator's sexual design. ... [W]hen they engage in homosexual activity they confirm within themselves a disordered sexual inclination which is essentially self-indulgent." (¶ 7)

The instruction also anathematizes LGBT social movements in civil society and in the Church, which are motivated by "a materialistic ideology" (¶ 8) that denies the transcendent truth of Church teaching. Catholic LGBT activists are depicted as sly foxes — "homosexual persons who have no intention of abandoning their homosexual behavior," who peddle "deceitful propaganda," and who decry the Church's sanction against homosexuality as "unjust discrimination" (¶ 9). They are depicted as deceivers who ply good-willed, but gullible pastors with the notion that "homosexuality is at least a completely harmless, if not an entirely good, thing" (¶ 9). Theirs is not just benign activism for sexual freedom, in Cardinal Ratzinger's view, because the homosexual passion apparently engages *dangerous desires*¹⁹ that "may seriously threaten the lives and well-being of a large number of people"; nevertheless, "its advocates remain undeterred and refuse to consider the magnitude of the risks involved" (¶ 9). For Ratzinger, homosexuality entails "a way of life which constantly threatens to destroy them" (¶ 12).²⁰ And while the document insists on an ethic of compassion and mercy in pastoral care

19 See Norbert Reck, 'Dangerous Desires: Catholic Approaches to Same-Sex Sexuality', in *Homosexualities*, ed. by Marcella Althaus-Reid (London: SCM Press, 2008), pp. 15–28.

20 Nowhere in the instruction does Cardinal Ratzinger specify what these risks of destruction might be. So we are only left to speculate in a haze of fear about unspeakable risks to life, health, social standing, and spiritual perdition.

for homosexual people, it also unfolds a thinly veiled exoneration of gay-bashing in its commentary (§ 10) on the “irrational and violent reactions” that may ensue in response to LGBT demands for social equality and integration:

“It is deplorable that homosexual persons have been and are the object of violent malice in speech or in action. Such treatment deserves condemnation from the Church’s pastors wherever it occurs. ... But the proper reaction to crimes committed against homosexual persons should not be to claim that the homosexual condition is not disordered. When such a claim is made and when homosexual activity is consequently condoned, or when civil legislation is introduced to protect behavior to which no one has any conceivable right, neither the Church nor society at large should be surprised when other distorted notions and practices gain ground, and irrational and violent reactions increase”. [§ 10]

So how are same-sex-attracted people to remain faithful Catholics? Is there any ground for them to stand on, in the fullness of their affections? Yes — *but only if they commit to crucifying their desire on the cross of Jesus Christ.*

“Fundamentally, they are called to enact the will of God in their life by joining whatever sufferings and difficulties they experience in virtue of their condition to the sacrifice of the Lord’s Cross. That Cross, for the believer, is a fruitful sacrifice since from that death come life and redemption”. [§ 12]

Citing St. Paul’s epistle to the Galatians (5:24), Ratzinger adds: “ ‘You cannot belong to Christ unless you crucify all self-indulgent passions and desires.’ ” As a practical matter that leaves some stark choices: either self-abasing chastity, with no prospect of a family of one’s own; or forced conversion to heterosexuality, with the possibility of a family life marred by the perpetual self-division of the “converted” “former homosexual” or “ex-gay.”²¹ In either case, queer Catholics would be compelled live in an ambivalent state of *double consciousness*²² in the very heart of their religious faith, segregated from the rights and dignities hetero Catholics enjoy in their Church.

Whither Francis: Does a Change in Tone Augur Change in the Teaching?

Note that each of the aforementioned principles of Catholic gendersex identity and practice — (1) *gender complementarity*,²³ (2) the centrality of *heterosexual*

21 It is relevant to note here that conversion therapies and ex-gay ministries were long a staple of conservative Christian organizations — like Exodus International or Restored Hope Network — which used any number of pseudo-therapies to bring about “conversions” to heterosexuality. Such programs are increasingly being outlawed across the U.S. and elsewhere in the world as harmful to the emotional health of those upon whom they are inflicted. See, for example, David S. Joachim, “Supreme Court Declines Case Contesting Ban on Gay ‘Conversion Therapy,’” *The New York Times*, June 30, 2014, at <http://nyti.ms/2ulxDe2>, accessed Aug. 28, 2017.

22 *Double consciousness* is the concept W.E.B. Du Bois coined as he reflected on the politics and psycho-dynamics of the racial “color line” in the United States. Double consciousness refers to the ambivalent awareness Black Americans have that they can never both *fully Black*, and *fully American* in the same breath. White supremacist racism in the history of this country has imposed an inalienable veil of segregation between them and Whites, limiting and marginalizing the fortunes of Black Americans. See *The Souls of Black Folk*, in W. E. B. Du Bois, *Writings*, The Library of America (New York, N.Y: Viking Press, 1986).

23 “Now it is a stable union that Jesus willed, and He restored its original requirement, beginning with the sexual difference.” *Persona*

marriage, and (3) the *procreative teleology of marital sex* — finds solid mooring in the 1986 instruction, alongside some harsh anathemas. Having earlier noted the change in tone augured by Francis's public persona, we turn now to consider whether such a change is sufficient to have equally augured a liberation of Catholic teaching on gender and sexuality. I conclude that it is not. Francis has written some beautiful, prophetically passionate, and critically important documents during his papacy — especially on economics and the environmental crisis. But in re-subscribing to the natural-law assumptions underwriting prior magisterial instructions on sexuality, Francis has kept the doors of change firmly closed. This means that we will not likely see significant movement on same-sex marriage, women's ordination, or other issues of family and sexual ethics during the remainder of Francis's papacy.

Evangelii Gaudium (2013)

As mentioned earlier, Francis's apostolic exhortation, *Evangelii Gaudium* (2013), is a powerful indictment of the excesses of neoliberal capitalism, and its indifference to the scandal of poverty it is producing in the world. The document offers some inspiring principles for pursuing the common good and peace, and proposals for dialog on social and inter-religious questions. It has little to say about the family or sexual ethics, areas treated in a marginal section about half-way into the 223-page document. But what it does say makes clear Francis's continued commitment to the natural-law framings of earlier teaching. While calling for "broader opportunities for a more incisive female presence in the Church" and the workplace, Francis nevertheless reaffirms the exclusion of women from the priesthood. In general *Evangelii Gaudium* offers a homogenized image of "woman," mostly recognizing women in terms of a *feminine principle* laden with gender stereotypes.

"The Church acknowledges the indispensable contribution which women make to society through the sensitivity, intuition and other distinctive skill sets which they, more than men, tend to possess. I think, for example, of the special concern which women show to others, which finds a particular, even if not exclusive, expression in motherhood". (¶ 103)

Francis acknowledges the critical pastoral role women play in Catholicism, and suggests that "the firm conviction that men and women are equal in dignity" has prompted challenging questions over whether women would break the pastoral glass ceiling and be admitted for priestly ordination. However, Francis quickly closes the question: "The reservation of the priesthood to males, as a sign of Christ the Spouse who gives himself in the Eucharist, is not a question open to discussion" (¶ 103). Strangely, Francis worried that a discussion on wom-

en's ordination "can prove especially divisive if sacramental power is too closely identified with power in general" (§ 104) — as if the Church's "reservation of the priesthood to males" had nothing whatsoever to do "with power in general."

Likewise, *Evangelii Gaudium* suggested that campaigns to give sacramental or civil equality to same-sex-headed families, or same-sex-loving individuals, arise from the ungodly politics of secular cultures that, according to Francis, must be countered with "objective moral norms which are valid for everyone" (§ 64). In support of this proposition the pope cited sentences from the U.S. bishops' 2006 guidance on "Ministry to Persons with a Homosexual Inclination," which criticizes the "moral relativism" of queer Catholics seeking cultural or sacramental recognition and equality in the Church. In this, Francis clearly follows Cardinal Ratzinger's worries about relativism and the cultural politics of sexual liberation inside the Church. While his tone is substantially less hostile than Ratzinger's, the result is the same on both issues.

Lumen Fidei (2013)

Francis is even more direct in his first papal encyclical, *Lumen Fidei* (2013).²⁴ He reiterates prior teaching on the centrality of heterosexual marriage, defining the family as grounded in the "stable union of man and woman in marriage" (§ 52). He also reiterates the doctrine of gender complementarity and the procreative teleology of sex when he notes that the (heterosexual) family grows out of "the goodness of sexual differentiation, whereby spouses can become one flesh (cf. Gen. 2:24) and are enabled to give birth to a new life" (§ 52). While he makes little more of these questions, it is clear that there is no doctrinal shift implied in the encyclical.

Amoris Laetitia (2016)

In October 2015, Pope Francis convened a synod on the family at the Vatican, culminating a year of surveys, conducted by Catholic dioceses throughout the world, on conditions and challenges affecting families. In both the report of the Synod,²⁵ and the apostolic exhortation that Francis wrote afterward (*Amoris Laetitia*, 2016), the question of same-sex loving people is presented as a challenge to the family that is both extrinsic and anomalous. Homosexuality can never be the basis for a family, but it can be a serious condition within families — one that must be watched over, its subjects counseled and corrected by the Church and the family's other (presumably heterosexual) members. The synod report dispatches with the issue of same-sex marriage and families in a single paragraph:

24 Online at the Vatican website, <http://bit.ly/2uHVXg5>, accessed Aug. 28, 2017.

25 *Relatio Synodi*, Report of the Synod of Bishops, 14th Ordinary General Assembly, Oct. 24, 2015, "The Vocation and Mission of the Family in the Church and in the Contemporary World," online at the Vatican website, <http://bit.ly/2uHWTAV>, accessed Aug. 28, 2017.

"Regarding proposals to place unions of homosexual persons on the same level as marriage, "there are absolutely no grounds for considering homosexual unions to be in any way similar or even remotely analogous to God's plan for marriage and family."²⁶ ... In every way, the Synod maintains as completely unacceptable that local Churches be subjected to pressure in this matter ... [.]"

And while *Amoris Laetitia* is a document of abundant beauty and passion, all its beauty is invested in a highly romanticized, and very partial vision of modern families — a vision that totally excludes the dignity and possibility of same-sex-grounded households. Francis notes the synodal discussion of "families whose members include persons who experience same-sex attraction," qualifying it as "a situation not easy either for parents or for children" (¶ 250). He reiterates the synod's affirmation "that every person, regardless of sexual orientation, ought to be respected in his or her dignity and treated with consideration, while 'every sign of unjust discrimination'²⁷ is to be carefully avoided, particularly any form of aggression and violence." Instead, the Church should assist families in turning their disordered gay brothers or sisters back to the Lord.

"Such families should be given respectful pastoral guidance, so that those who manifest a homosexual orientation can receive the assistance they need to understand and fully carry out God's will in their lives". [¶ 250]

What sort of "assistance" this could be is not discussed whatsoever, either in the synodal *Relatio* or *Amoris Laetitia*. This minimalist treatment of one of the most significant contemporary issues affecting families is striking. One might read it as *indifference* on Francis's part to the question of the pastoral care for homosexual persons. Or one might read Francis's minimalism as an attempt to disable the question of homosexuality for Catholic fundamentalists who use it in culture wars that tend to marginalize Catholic influence in the public sphere. Of course, less discussion on the issue necessarily means less reiteration of the alienating *homophobic* rhetoric that has long accompanies Church teaching on homosexuality. This might be regarded as progress — but for queer Catholics it must be cold comfort indeed.

Assessing Francis's Magisterium on Sexuality: Counterpoints of an 'Indecent Theology'

Theological critique of contemporary Church doctrine on sexuality from voices "inside" the Church is hardly possible, bedeviled by the terms of the teaching itself. Respect for the magisterium means *obedience* to every term of the

26 The *Relatio* cites the Congregation for the Doctrine of the Faith, *Considerations Regarding Proposals To Give Legal Recognition To Unions Between Homosexual Persons* (2003), ¶ 4. That paragraph continues:

"Marriage is holy, while homosexual acts go against the natural moral law. Homosexual acts "close the sexual act to the gift of life. They do not proceed from a genuine affective and sexual complementarity. Under no circumstances can they be approved."

The internal quotation is from the *Catechism of the Catholic Church*, ¶ 2357.

27 Internal quotes from the *Catechism*, op.cit., ¶ 2358, and the *Relatio*, ¶ 76.

teaching on homosexuality and gender — as we saw above. One of those terms is an admonition not to dissent, nor teach against the grain of Church teaching, and even to help purge other dissenters from the Church. Whatever private opinions one may hold, the only legitimate public discourse on sex is the Church's account of cis-gendered, heterosexual men and women, chaste until married, building up their families per God's "divine plan." Their consolation and reward — if we believe what the Church teaches on marriage — is to be animated and illuminated by a metaphysical felicity they derive from their procreative love. That felicity, presumably, would be none other than God's own joy, inasmuch as the divine archetype for the Catholic ideal of heterosexual conjugal union is *God's self*. This sugar-coated vision of conjugal love may work for some heterosexuals, even amid the enormous, everyday challenges that ordinarily afflict even the best-founded marriages. For non-hetero Catholics, however, the cost of obedience would be a sort of house arrest, arrayed in self-imposed silence and the self-crucifixion of body, mind, and spirit according to an essentially sadomasochistic teaching. Reducing the real sex lives of Catholics — sanitizing, sentimentalizing, heterosexualizing them — the magisterium has built up a Disneyland image of sexual love. It's a far cry from the fictive fantasy we saw at the top of this article: of an unashamed pope instructing his flock on how to enjoy their bodies — in all their polymorphous perversity — in safety and good health. Is the image of sex and marriage presented in the real-world Catholic magisterium any less fictive than the sex-positive pope parodied in *The Onion*? What can we say about a theology of sex that holds heterosexuality as instrumental to the divine plan, while also recognizing homosexual *orientation* is a *defect* — an *intrinsic disorder* — in that plan? Nowhere does the magisterium entertain the ramifications of this contradiction: Either the divine plan is deeply flawed (by homosexual attraction), or the magisterial vision of this "divine plan" is mistaken. Such contradictions and *aporiae* arise because the Church has built up a doctrine that turns away from the living reality of the faithful²⁸ — not only the pluriverse of sexual life in Catholicism, but also refusing serious engagement with gender and sexuality studies that might open rethinking of its cis-gender categories of "man," "woman," and the procreative teleology of conjugal sex.

The question of *the opening* is highly pertinent here. Thinking through Francis's magisterium on gender and sexuality, I cannot help but wonder how the late "indecent theologian" Marcella Althaus-Reid (1952-2009) might have read our comical fake-news item from *The Onion*. Althaus-Reid, an Argentine-Scottish theologian, wrote relentlessly on the need to queer Christian theology, disrobe the Church of its hypocritical panache of *decency*, and push Christianity out of its sexual closets. Her brand of "indecent theology" integrated queer theory, inter-

28 See: David Paternotte, Mary Anne Case, and Sarah Bracke, "The Sin of Turning Away from Reality: An Interview with Father Krzysztof Charamsa," *Religion & Gender* 6:2 (2016), pp. 226-246. This interview is part of a special edition of the journal on "unpacking the sin of gender."

sectional feminist thought, poststructuralist discourse criticism, and late-Marxist ideological theory, into a latter-day decolonial theology on steroids.²⁹

"Queer theology is a process of Outing Theology as a method for action and reflection, in the sense that first of all, Classical theology needs to come clean with its real sexual identity, from where goals and objectives can be worked out. I have said elsewhere, that all theology is sexual theology, it is just that traditionally theology doesn't admit it. It is still in the closet about its true sexual nature".³⁰

In a footnote she adds: "I am using 'outing' as a theological method ... against closeted doctrines and church traditions which can be considered historically sexually violent and therefore very oppressive."³¹ Ergo, one of the critical projects of her indecent theology was to *queer* (i.e. transgressively deconstruct) the oppressive binaries inscribed in Catholic and Christian doctrines on the body, gender, the sex, and the family. It is important to note here that for Althaus-Reid *queer* theology is not a *homosexual* theology. It is *queer* inasmuch as it seeks to upend the hierarchization of *all* sexualities. This is particularly the challenge in today's heterocapitalist societies, where heterosexist masculinism is the normative ideological subject of history, culture, and social relations.³² The target for Althaus-Reid was *oppressive power*, not the ennobling of any particular sexual identity or practice. In the term and praxis of *deconstruction* she comprehended not *destruction*, but a constant, unending, and wide-open interrogation — really a *liberation of criticism*, in which the axioms, ideologemes, and non-discursive power relations inscribing authoritative knowledge are brought to light. Her commitment to deconstruction understood that power in the modern world is inherently colonizing, and that authoritative knowledge is hegemonized through practices of discursive *closure*.³³ The *closure* occurs where agents of the authoritative discourse use different types of force or violence to impose their formulation of normative social relations, in lieu of any interrogation of prior questions. "A deconstructive path would have submitted responses 'to endless interrogations ... overthrowing power to *preserve the opening*' as Jabès says. ... We have nothing to fear in deconstruction if this process carries with itself a problematization of reality which opens to new questionings and visions."³⁴ In decolonizing power, Althaus-Reid understood the need to move beyond a thinking that merely rear-

29 Her major works were: *Indecent Theology* (London: Routledge, 2000); *The Queer God* (New York: Routledge, 2003); and *From Feminist Theology to Indecent Theology: Readings on Poverty, Sexual Identity and God* (London: SCM Press, 2004).

30 See Althaus-Reid, "Outing Theology: Thinking Christianity out of the Church Closet," *Feminist Theology* 27 (2001), p. 60.

31 *Ibid.*, fn. 5.

32 See Althaus-Reid, "On Queer Theory and Liberation Theology: The Irruption of the Sexual Subject in Theology," in *Homosexualities*, eds. Marcella Althaus-Reid, Regina Ammicht Quinn, Erik Borgman, and Norbert Reck (London: SCM Press, 2008), pp. 83–96.

33 It is important to note that her field of vision was the antagonistic colonial history of Europe and the Americas in long-historical perspective. In this she subscribes to a decolonial periodization of history that is common among practitioners in liberation theology and the philosophy of liberation in Latin America. A signature expression of that periodization might be found in Enrique D. Dussel, *Ética de la Liberación en la Edad de la Globalización y la Exclusión*, 2nd ed. (Madrid: Trotta, 1998), especially the introduction, "Historia Mundial de las Eticidades."

34 Althaus-Reid, *Indecent Theology*, op. cit., 12, my emphasis in italics.

ranges power relations; rather, power must be confronted, deconstructed so as to regain the opening of a freedom to ask, *What sort of life should I / we lead?*

Alas, Church teaching on sexuality finds itself in a standoff today. Compared with the two popes who preceded him, Francis's tone is decidedly softer, kinder, gentler — yet there's no change in underlying doctrine or its natural-law perspective. The bone-curdling language of homosexuality as "objective disorder" and "intrinsic moral evil" is muted. But between the lines of Francis's gentle *ca-thedra*, we can still read of homosexuality as a malformed human condition; of queer Catholics seeking specious legal rights and canonical rites; of the deadly risks of moral relativism; and of the dangerous siren-song of our secular culture's bohemian rhapsodies. The Church still requires Catholics to conform to gender and sexual norms that many do not, or cannot, inhabit today. That will continue so as long as the Church insists on defending metaphysical sentimentalism, barricaded and intellectually inoculated against the insights of today's human and biological sciences on sexuality.

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**БЕЗ АЂИОРНАМЕНТА ЗА КВИР ОВОГ ПУТА: ВРАЋАЊЕ
ФИЛОЗОФИЈИ ПРИРОДНОГ ПРАВА И РЕФОРМА ПАПЕ ФРАЊЕ У
КАТОЛИЧКОМ УЧЕЊУ О СЕКСУАЛНОСТИ**

Сажетак

У овом чланку се сматра да веома очекивана либерализације учења о сексуалности неће бити учињена за време папа Фрање. Иако је папа увео донекле толерантнији стил и тон у свом дискурсу о хомосексуалности, основе остају и даље замрзнуте, услед поновљене есенцијализације рода која долази из архаичне католичке конструкције природног права. Текст се бави католичком докторином сексуалности, нарочито након Црквиних инструкција о сексуалној етици из 1975. године. Разматрајући „непристојну теологију“, који је предложио аргентинско-шкотски теолог Марсела Алтхаус-Рајд, аутор упоређује раније исказе доктрине са онима који се налазе у главним писањима папа Фрање. Он закључује да отворенији дух и тон папе у јавним изјавама није повезан ни са једном значајнијом променом у његовом учењу о сексуалности, упоређеним са његовим претходницима.

Кључне речи: Папа Фрања, род, сексуалност, природно право, католично учење о сексу

Примљен: 20.01.2017

Прихваћен: 28.06.2017